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Attorney for Debtors

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA –SACRAMENTO DIVISION

In re:

ROSIA BELL EALY &

LINDA LOREAN EALY,

Debtors.

Case No: 14-21386

DC No: CJY-1

Chapter 13

Date: April 5, 2016

Time: 10:00 a.m.

Place: 501 I Street, 6th Floor, Courtroom 34
Sacramento, CA

**DEBTORS' MOTION TO CONFIRM SECOND MODIFIED CHAPTER 13
PLAN**

Rosia Bell & Linda Lorean Ealy ("Debtors") hereby move to modify their Plan on the following grounds:

1. The First Modified Plan, filed on or about February 23, 2015, provides that debtors shall pay the Trustee a total of \$42,739.00 through month 11, and \$2,200.00 in months 12-14. Then beginning in month 15, debtors shall pay the Trustee \$4,320.00 for the remaining 46 months and that Class 7 General Unsecured Creditors with timely filed claims will receive a 0% dividend through the plan.
2. Debtors are modifying their plan because they have fallen behind on their Trustee payments. The Debtor is a truck driver and recently had his leg amputated preventing him from further operating his business. Debtors are surrendering their truck and trailer back to the respective lenders. Debtors have also decided to sell their home as they can no longer afford to keep up with the payments as their income will be limited

1 to social security benefits. Debtors have enough equity in their home to sell and pay
2 in full any liens.

3 3. Debtors are putting their house on the market and plan to have it sold within the next
4 12 months. Upon selling the home, Debtors will modify their plan based on the
5 remaining debt and their new living expenses.

6 4. Debtors' son Roosevelt Ealy will be contributing \$1,000.00 to the debtors each month
7 and the debtors have lowered some of their personal expenses to make their plan
8 feasible. Debtors will be filing amended schedules I & J to reflect the changes listed
9 above.

10 5. In consideration of the foregoing, Debtors propose the following changes to their Plan:
11 Debtors shall pay the Trustee a total of \$75,259.00 through month 23. Beginning in
12 month 24, debtors shall pay the Trustee \$1,200.00 per month for the remaining 37
13 months. A true and correct copy of the Plan is filed concurrently herewith in the List
14 of Exhibits as Exhibit "A".

15 6. Changing the plan will not affect the Plan's feasibility and will continue to pay 0% to
16 all timely filed unsecured claims.

17
18
19 Dated:

2/19/16

By: FRIEND YOUNGER, PC


/s/ Christian J. Younger

Christian J. Younger
Attorney for Debtor(s)